

From the Upper Chamber



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Report for Wednesday, February 15, 2006

The nineteenth day of the 2006 legislative session was called to order by Lieutenant Governor **Mark Taylor**.

Senator **Don Balfour** of the 9th stated that the journal had been read and was found to be correct.

Senate Bills 546-553; Senate Resolutions 862, 864, 865 and 869-871; and House Bills 972, 1184, 1213, 1238, 1240, 1265, 1289, 1297-1299 and 1303 were read for the first time and assigned to their respective Committees.

Following the reports of Standing Committees and second reading of Senate Bills and Resolutions, the morning roll call was taken.

Lt. Gov. **Taylor** then recognized Sen. **Bill Hamrick** of the 30th to lead the Senate in the Pledge of Allegiance. Sen. **Hamrick** introduced the *Chaplain of the Day*, Dr. **Bob Allred** of Carrollton First United Methodist Church, who led the Senate in the daily devotional.

Sen. **Vincent Fort** of the 39th took the well on a Point of Personal Privilege to speak about a lawsuit filed by the ACLU that concerns ethics legislation passed last year by the General Assembly. Sen. **Fort** mentioned that a document summarizing the lawsuit had been placed on Senators' desks today.

Sen. **Balfour** took the well on a Point of Personal Privilege to respond to Sen. **Fort's** remarks. He stated the ethics legislation that passed last year is sound, and that the lawsuit filed is frivolous.

Sen. **Steen Miles** of the 43rd took the well on a Point of Personal Privilege to recognize representatives of the Empire Board of Realtists present in the Senate gallery.

Sen. **Steve Thompson** of the 33rd took the well on a Point of Personal Privilege to remark on the ethics complaints mentioned by Sen. **Fort**.

Sen. **Renee Unterman** of the 45th took the well on a Point of Personal Privilege to address the previous ethics discussion.

Sen. **Nancy Schaefer** of the 50th took the well on a Point of Personal Privilege to mention an Indiana Supreme Court ruling that limits prayer in government buildings and functions.

Sen. **Ronnie Chance** of the 16th took the well on a Point of Personal Privilege to recognize representatives of the Fayette County Chamber of Commerce, who were present in the Senate gallery.

Sen. **Tim Golden** of the 8th took the well on a Point of Personal Privilege to express his condolences to Minority Leader **Robert Brown** of 26th, whose mother has passed away.

SR 859-861, 863, 866-868 and 872 were read and adopted.

The Local Consent Calendar, consisting of HB 1151, passed by a vote of 49 to 0.

The Secretary read SR 435, which urges the State to pass legislation establishing a system of stroke care.

Sen. **Gloria Butler** of the 55th took the well to speak to the bill, which has the support of the American Stroke Association and the American Heart Association.

SR 435 was adopted by a vote of 49 to 0.

The Secretary read SR 718, which dedicates a portion of State Route 141 in DeKalb County as the *Stephen J. Schmidt, Sr. Memorial Highway*.

Sen. **Steve Henson** of the 41st took the well to present the resolution, which honors **Schmidt** for his contributions to Ogelthorpe University in Atlanta.

SR 718 was adopted by a vote of 48 to 0.

The Secretary read SR 764, which expresses dismay at the recent success of Hamas in the Palestinian elections.

Sen. **Judson Hill** of the 32nd took the well to present the resolution, which urges the federal government to discontinue any financial assistance to the Palestinian government until they acknowledge Israel as a nation.

Sen. **David Adelman** of the 42nd also took the well to urge the passage of SR 764.

SR 764 was adopted by a vote of 47 to 0.

The Secretary read SR 789, which urges the Department of Community Health and the Health Strategies Council to revise perinatal service area 3 to include Forsyth County.

Sen. **Bill Stephens** of the 27th took the well to present the resolution, stating the move would be of great benefit to women who live in Forsyth County.

SR 789 was adopted by a vote of 46 to 0.

Majority Leader **Tommie Williams** of the 19th moved that the Committee Substitute to HB 1026, the amended FY06 budget, be moved into the Committee of the Whole. There was no objection. Majority Leader **Williams** then moved that the Senate be dissolved into the Committee of the Whole to consider the amended FY06 budget. There was no objection.

Sen. **Jack Hill** of the 4th took the well to give an overview of the changes in the amended FY06 budget.

President Pro Tempore **Eric Johnson** of the 1st took the gavel to preside over the Senate.

President Pro Tem **Johnson** and Senators **Mitch Seabaugh** of the 28th, **Hamrick**, **Jeff Mullis** of the 53rd, **Greg Goggans** of the 7th, **Johnny Grant** of the 25th, **Dan Moody** of the 56th, **Ross Tolleson** of the 20th, **Unterman** and **Brian Kemp** of the 46th reviewed the changes to the FY06 budget section by section.

Sen. **Hill** of the 4th then continued his presentation of the amended FY06 budget. He yielded to questions from Sens. **Terrell Starr** of the 44th, **Ralph Hudgens** of the 47th and **John Douglas** of the 17th.

The Secretary read Amendment 1, and Sen. **Regina Thomas** of the 2nd took the well to present her amendment, which would fund families who were receiving Katie Beckett waivers prior to any changes in eligibility. She yielded to questions from Sen. **Goggans**.

Sen. **Hill** of the 4th took the well to conclude his presentation of the amended FY06 budget. He stated that a new Amendment was being drafted to focus on the Katie Beckett waiver issue, without killing other Senators' projects in the budget. He yielded to questions from Sen. **Hudgens**.

Sen. **Seabaugh** then introduced Amendment 1A to Amendment 1, which would change the source of funding for the Katie Beckett program to pre-fund debt service obligations due in FY07.

Lt. Gov. **Taylor** returned to preside over the Senate.

Amendment 1A to Amendment 1 was adopted by a vote of 42 to 0.

Amendment 1 was adopted as amended by a vote of 49 to 0.

Majority Leader **Williams** moved that HB 1026 do pass as amended. Sen. **Seabaugh** seconded the motion. The motion was unanimously approved.

President Pro Tem **Johnson** then served notice that the Committee of the Whole has recommended that HB 1026, the amended FY06 budget, do pass by substitute. Sen. **Johnson** then moved the Committee of the Whole be dissolved to vote on HB 1026. There was no objection.

The Committee Substitute to HB 1026 was adopted as amended by a vote of 53 to 0.

HB 1026 then passed by substitute by a vote of 52 to 1.

Sen. **Balfour** moved that the Senate insist on its Amendment to HB 246, which relates to the dispensing of prescription of drugs via electronic transmission of drug orders and refills. He then took the well to speak to his motion. He yielded to questions from Sens. **Michael Meyer von Bremen** of the 12th and **Unterman**.

The Senate insisted on its Amendment to HB 246 by a vote of 34 to 10.

After the announcements, Majority Leader **Williams** moved that the Senate stand adjourned until 8:30 a.m., Thursday, February 16.

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